

REMARKS

Claims 60, 62, 70, and 72 are allowed if written in independent form including the limitations of their intervening claims. The Applicant thanks the Examiner for allowing these claims.

Claims 53-73 are pending.

Claims 53-59, 61, 63-69, 71, and 73 are rejected

EXAMINER INTERVIEW

The Applicant had telephone interviews with the Examiner on July 18, 2005 to discuss the fact that only Provisional application No. 60/150,766, filed on August 26, 1999 of Armentrout qualifies as prior art as the present application 09/538,543 was filed on March 30, 2000. Examiner Coulter agreed with this assessment. The Examiner said he would review the case and make a determination of the status of the claims as written in the response of March 23, 2004 and after the Appeal Brief of December 20, 2004.

The Applicant again called the Examiner on July 22, 2005. Examiner Coulter was going to be out the week of July 25, 2005 and asked the Applicant to call back on August 1, 2005. The Applicant called on August 1, 2005 and the Examiner set an interview date of August 4, 2005

The Applicant had a telephone interview with the Examiner on August 4, 2005. The Examiner's issue was that the incentives of the present invention were not a payment for an amount of computer time. The Applicant pointed out that the steps in the present claims clearly establish what is considered the invention relative to incentives. The Examiner said he agreed and would write his reasons for allowance to include how the incentives of the present invention differ from the prior art. The

Applicant stated he would summarize the interview in the Examiner Interview section.

I. REJECTION UNDER 35 U.S.C. § 102(e)

The Examiner rejected Claims 53-58, 61, 63-68, 71, and 73 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6, 463,457 to *Armentrout et al.* (hereafter "6, 463,457 of *Armentrout*") The Applicant has shown through discussions with the Examiner that only the Provisional Application No. 60/150, 766 of *Armentrout* (hereafter "60/150, 766 of *Armentrout*") qualifies as prior art. Additionally, the Applicant has shown through discussions with the Examiner that 60/150, 766 of *Armentrout* does not discuss incentives as recited in the present invention. The Examiner agreed with Applicant in this regards. Therefore the Applicant respectfully asserts that the rejections of Claims 53-58, 61, 63-68, 71, and 73 under 35 U.S.C. § 102(e) as being anticipated by 6, 463,457 of *Armentrout* are traversed by the above arguments.

II. REJECTION UNDER 35 U.S.C. § 103(a)

The Examiner rejected Claims 59 and 69 under 35 U.S.C. § 103(a) as being unpatentable over *Armentrout et al.* in view of *London*. The Applicant has shown that only 60/150,766 of *Armentrout* qualifies as prior art.

Claim 59 depends from Claim 53 and contains all the limitations of Claim 53. The Applicant has shown that 60/150,766 of *Armentrout* does not teach or suggest the invention of Claim 53. Therefore 60/150,766 of *Armentrout* does not teach or suggest the invention of Claim 59. The Applicant has previously shown that *London* does not teach or suggest the invention of Claim 53.

Claim 63 is directed to a distributed processing system used to implement the method steps of Claim 53. Claim 69 depends from Claim 63 and contains all the limitations of Claim 53. The Applicant has shown that 60/150,766 of *Armentrout* does not teach or suggest the invention of Claim 63. Therefore 60/150,766 of

Armentrout does not teach or suggest the invention of Claim 69. The Applicant has previously shown that *London* does not teach or suggest the invention of Claim 63.

Therefore the Applicant respectfully asserts that the rejections of Claims 59 and 69 under 35 U.S.C. § 103(a) as being unpatentable over 6, 463,457 of *Armentrout* in view of *London* are traversed by the above arguments.

III. CONCLUSION

The Applicant has shown that only 60/150,766 of *Armentrout* qualifies as prior art relative to the present inventions of Claims 53-73. The Applicant in discussions with the Examiner has shown that 60/150,766 of *Armentrout* does not teach or suggest all the steps of Claim 53 or the elements of Claim 63 and 73. The Applicant has shown previously that *London* does not teach or suggest the inventions of Claims 53-73.

The Applicant has traversed the rejections of Claims 53-58, 61, 63-68, 71, and 73 under 35 U.S.C. § 102(e) as being anticipated by 6, 463,457 of *Armentrout*.

The Applicant has traversed the rejections of Claims 59 and 69 under 35 U.S.C. § 103(a) as being unpatentable over 6, 463,457 of *Armentrout* in view of *London*.

Claims 60, 62, 70, and 72 are objected to as being dependent upon a rejected base claims 53 and 63. The Applicant has traversed the rejections of the base claims.

The Applicants, therefore, respectfully assert that Claims 53-73 are now in condition for allowance and request an early allowance of these claims.

Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,

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